

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**SB 432 – HB 864**

April 8, 2013

**SUMMARY OF ORIGINAL BILL:** Specifies that the exclusive remedy provision of the Workers' Compensation Act does not limit third party action against tortfeasors.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (006450):** Deletes all language after the enacting clause. Entitles an employee who leaves the state incidental to the employee's employment and who receives an accidental injury arising out of the course and scope of employment to workers' compensation benefits. Exempts certain employees and employers from other states from the requirements of workers' compensation law. Exempts certain employees and employers, from Tennessee, from the requirements of other states. Adds language to the bill requiring a certificate from the authorized officer of another state, certifying that the employer is insured in that state. Authorizes the Department of Commerce and Insurance to issue certificates to employers in Tennessee. Requires a filing fee of \$100 payable to the Department of Commerce and Insurance.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Increase State Revenue –**

**Exceeds \$2,500/Department of Commerce and Insurance**

Assumptions for the bill as amended:

- The precise number of applications for certificates cannot be determined.
- Based on information provided by the Department of Commerce and Insurance, at least 25 applicants are expected annually. A recurring increase in state revenue exceeding \$2,500 (25 applicants x \$100 filing fee). Such revenue shall be retained by the Department of Commerce and Insurance.
- According to the Department of Commerce and Insurance, the additional workload can be handled within existing resources without an increased appropriation or a reduced reversion.

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- The impact on the number of claims processed by the Department of Labor and Workforce Development will be not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/jaw